

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. MAR 06 1990

Returned to applicant for correction. MAR 29 1990

Corrected application filed. APR 06 1990 Map filed MAY 15 1980 under 40900

The applicant. Newmont Gold Company

P.O. Box 669 of Carlin
Street and No. or P.O. Box No. City or Town

Nevada 89822 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 48257
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.87 c.f.s. (643.6 acre-feet)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining Milling, and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35 T34N, R51E, MDM at a point
Describe as being within a 40-acre subdivision of public survey and by course and
from which the NE corner of said Section 35 bears N.87°42'E, a distance of
distance to a section corner. If on unsurveyed land, it should be stated.
711.00 feet.
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, T.34N, R.51E, MDM,
If point of diversion is not changed, do not answer.
at a point from which the SE corner of said Section 36 bears S42°52'E, a
distance of 6,552 feet.
7. Proposed place of use "Same as Existing"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Sections 34, 35, and 36, T34N, R51E, MDM; Section 1, 2, 3, 10, and
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
11, T33N, R51E, MDM, and Section 6, T33N, R52E, MDM.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) existing drilled and cased well equipped with
State manner in which water is to be diverted, i.e. diversion structure,
motor, pump, and pipeline to place of use.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works none-existing works
13. Estimated time required to construct works none - existing works

14. Estimated time required to complete the application of water to beneficial use..... 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Map filed under existing Point of Diversion and Place of Use Permit No.
48257 made a part hereof to support this application. Utilize map filed
under permit 40900 for Proposed Point of Diversion.

By s/Michael D. Buschelman
5405 Mae Anne Avenue
Reno, NV 89523
Compared. bc/se am/se
Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 48257 is issued subject to the terms and conditions imposed in said Permit 48257 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.87 cubic feet per second, but not to exceed 205.24 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 22, 1991
Proof of completion of work shall be filed before March 22, 1991
Application of water to beneficial use shall be made on or before February 22, 1992
Proof of the application of water to beneficial use shall be filed on or before March 22, 1992
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 6 1991
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 9th day of January

A.D. 19 91
R. Michael Turnipseed P.E.
State Engineer

(PERMIT TERMS CONTINUED)

subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

The total combined duty of water under permits 40900, 47962, 48328, 48330, 48910, 48911, 48912, 49550, 49916, 49962, 51962, 52330, 52331, 52332, 52883, 52884, 53384, 53385, 54308-T, 54309-T, 54310-T, 54339, 54340, 54341, 55093-T, 55094-T, 55095-T, 55096-T and 54510 shall not exceed 10,582 acre feet annually.

Any water obtained under Permits 52883, 52884, 53384, 53385, 54308-T, 54309-T, 54310-T, 54339, 54340, 54341, 55093-T, 55094-T, 55095-T, 55096-T and 54510 as a result of the dewatering program by the permittee shall be used first for mining, milling, heap leaching, drilling, road water and other related mining and milling uses within the places of use as described.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount of water pumped from each well and the amount of water used for mining and milling purposes.